

ARTHUR E. ROSS #1005  
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RILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

MAY 22 2006

at        o'clock and        min.  
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

|                           |   |                                    |
|---------------------------|---|------------------------------------|
| UNITED STATES OF AMERICA, | ) | CR. NO. 05-00027 JMS               |
|                           | ) |                                    |
| Plaintiff,                | ) | <b>NOTICE OF MOTION; MOTION TO</b> |
|                           | ) | <b>WITHDRAW AS COUNSEL;</b>        |
| vs.                       | ) | <b>DECLARATION OF COUNSEL;</b>     |
|                           | ) | <b>CERTIFICATE OF SERVICE</b>      |
| ERIC K. HO,               | ) |                                    |
|                           | ) |                                    |
| Defendant.                | ) |                                    |
|                           | ) | Judge: Michael J. Seabright        |
|                           | ) | Hearing Date: _____                |
|                           | ) | Time: _____                        |
|                           | ) |                                    |

**NOTICE OF MOTION**

TO: LORETTA SHEEHAN  
Assistant United States Attorney  
300 Ala Moana Blvd, Room 6100  
Honolulu, Hawaii, 96850  
Attorney for Plaintiff  
UNITED STATES OF AMERICA

PLEASE TAKE NOTICE that the attached Motion will be heard before the Honorable

\_\_\_\_\_, Magistrate Judge of the above-entitled court in his courtroom on \_\_\_\_\_,  
2006 at \_\_\_\_\_ o'clock \_\_\_\_\_.m. or as soon thereafter as counsel may be heard.

SCANNED

DATED: Honolulu, Hawaii, May 22, 2006.

  
ARTHUR E. ROSS  
Attorney for Defendant  
ERIC K. HO

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA, ) CR. NO. 05-00027 JMS  
 )  
Plaintiff, )  
 ) MOTION TO WITHDRAW AS  
vs. ) COUNSEL  
 )  
ERIC K. HO, )  
 )  
Defendant. )  
 )

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**MOTION TO WITHDRAW AS COUNSEL**

Arthur E. Ross, Esq., court-appointed CJA Panel Attorney for defendant ERIC K. HO, in the above-entitled matter, moves this Honorable Court for an order allowing him to withdraw as counsel on the grounds that a conflict of interest exists because of prior representation in State court, which requires a substitution of counsel.

This motion is brought pursuant to L.R. 83.6 and Rule 47 of the Federal Rules of Criminal Procedure and is supported by the attached Declaration of Counsel, the records and pleadings on file herein and any facts and argument adduced at a hearing on this motion.

DATED: Honolulu, Hawaii, May 22, 2006.

  
ARTHUR E. ROSS  
Attorney for Defendant  
ERIC K. HO